



# Office of the Staff Judge Advocate LEGAL SERVICES

I Corps (Fwd) and U.S. Army Japan

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# Newsletter

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Hours: Monday-Friday  
09:00-1200 &  
1300-1700

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## Where Do You Call Home?

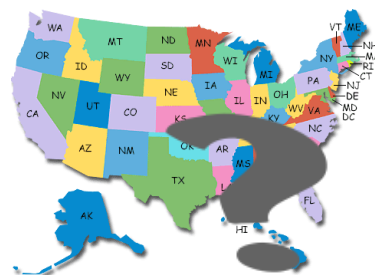
Your state of legal residence (SLR) is important because it determines, among other things, where you pay state taxes, where you vote, and eligibility for in-state tuition. With frequent moves and living overseas, figuring out your SLR can be confusing.

The first thing to remember is that every U.S. citizen has a SLR, even if living overseas.

The second thing to know is that SLR is not synonymous with Home of Record (HOR). HOR is almost always the state where you first joined the military and generally doesn't change. SLR, on the other hand, refers to the place where you intend to return to and live after discharge or retirement – the place you call home – and can change over time.

To figure out your SLR, answer the following questions: what state issued your drivers license; where do you vote; where do you pay state taxes; where do you consider home? If the answers are all the same, your SLR is probably that state.

If the answers are not the same and you don't know what your SLR is or if you want information on changing your SLR, please contact the Camp Zama Legal Assistance Office at 263-4698.



## Japanese Attorney Available

Appointments with a Japanese attorney are available three Tuesdays each month for matters involving Japanese law, such as divorce and consumer issues.

Call 263-4698 for an appointment.

## Keep Your House – Avoid Foreclosure

If you own a home and are falling behind in your payments, you should take action now to avoid foreclosure. Foreclosure is the legal process used by a lender, such as a bank, to repossess and sell a home when the homeowner falls behind on payments to a loan secured by the home.

Here are some tips for avoiding foreclosure:



**1. Contact your lender as soon as you realize that you have a problem.** Lenders do not want your house. They have options to help borrowers through difficult times.

**2. Don't ignore the problem – open and respond to all mail from your lender.** The first notices you receive will offer information about foreclosure prevention. Later mail may include notice of pending legal action.

**3. Prioritize your spending.** After healthcare, keeping your house should be your first priority. Review your finances and cut spending (e.g., memberships and entertainment) to make your mortgage payment.

**4. Use your assets.** Do you have assets (a second car, jewelry) that you can sell for cash? Can anyone in your household get an extra job?

**5. Know your mortgage rights.** Find and read your loan documents so you know what your lender may do. Learn about the foreclosure laws in your state.

**6. Understand foreclosure prevention options.** Information can be found at: [http://portal.hud.gov/portal/page?\\_pageid=33,717348&\\_dad=portal&\\_schema=PORTAL](http://portal.hud.gov/portal/page?_pageid=33,717348&_dad=portal&_schema=PORTAL).

**7. Avoid foreclosure prevention companies.** Don't pay fees for foreclosure prevention help – use that money to pay the mortgage instead.

**8. Avoid foreclosure recovery scams!** Any company promising to stop your foreclosure immediately if you sign a document is probably a scam. Never sign a legal document without reading and understanding all the terms and getting professional advice from an attorney, a trusted real estate professional, or a HUD approved housing counselor.

**9. Seek assistance.**

- The US Department of Housing and Urban Development (HUD) funds free or low cost housing counseling. To find a HUD-approved housing counselor go to <http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>.
- Schedule an appointment with Camp Zama Legal Assistance by calling 263-4698.
- Contact the ACS Financial Readiness Program Manager by calling 263-8091.

## Full Replacement Value for Your Claim

Most household goods shipments are now eligible for Full Replacement Value (FRV) protection. This means claims for lost or destroyed items will be paid replacement cost, not depreciated cost.

FRV coverage is automatic and applies to personal-property shipments picked up on or after October 1, 2007 for international shipments to and from OCONUS. To receive FRV, servicemembers must file their claim directly with the Transportation Service Provider (TSP) instead of the Military Claims Office (MCO).



The first step in the claims process is to note lost or damaged items on DD Forms 1840 or 1840R. These forms must be submitted to the TSP within 75 days of delivery. Once the forms are received, the provider has the right to inspect the damaged items.



The second step is filing the claim with the TSP within nine months of delivery. This is typically done by completing DD Form 1844 (or other form provided by the TSP) and sending it to the TSP.

Once the claim is filed, the TSP should settle the claim within 30 days. The TSP is responsible for obtaining repair and replacement costs. The provider will also pay FRV cost on items that need replacing or have been lost or destroyed.

If the provider denies the customer's full claim, makes an offer on the claim that is not acceptable, or does not respond within 30 days, the customer may transfer the claim to the MCO.

Claims transferred to the MCO Claims transferred to the MCO within nine months of delivery will be paid depreciated replacement cost only. The MCO, however, will attempt to recover FRV from the provider. If successful, the claims office will pay the difference between the amount paid and the amount recovered to the claimant.



Claims may still be filed with directly with the MCO if the nine month deadline is missed; however, the claim will only be paid depreciated value. Claims filed more than two years after delivery cannot be paid.

For questions or claims assistance, please visit the Camp Zama Claims Office in Building 101, Room CE209 or call DSN: 263-4137.